S.B.Cr.Misc. II Bail App. No. 4829/2007
(Lumba Ram Vs. State of Rajasthan)

Date of order : 26/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Amitabh Acharya for the petitioner.

Mr. Ashok Upadhyay Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and challan papers.

While rejecting the earlier bail application as not pressed, the petitioner was granted liberty to file a fresh bail application after filing of the challan. Now the challan has been filed. I have carefully gone through the challan papers.

The allegation against the present petitioner is that he inflicted injury on the leg of injured Ganga by lathi which on being examined by Radiologist was found to be grievous in nature.

Be that as it may, the injury assigned to the petitioner is on non-vital part and there is no repetition of injuries. In the circumstances, therefore, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Lumbaram S/o Magnaram, be released on bail in FIR No. 69/2007 P.S. Sindhari, district Barmer provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP